

REMARKS

The examiner has indicated that every dependent claim is a distinct species or subcombination, and requires the election of a single disclosed species for prosecuted on the merits. The examiner states that currently, claims 1, 47 and 90 are generic to their independent claims

Applicant has provided above an election of species, an identification of the species that is elected and a listing of all claims readable thereon.

Election of Species:

Applicant elects to prosecute Claims 1-46. This election is made with traverse. Applicants reserve the right to prosecute the non-elected species in another application to be filed at a later date.

Identification of Species:

Applicant identifies the elected claims 1-46 as a photonic device with a silicon semiconductor based superlattice with an optically active layer of rare-earth ion.

Claims readable upon Elected Species:

Applicant identifies the following claims as readable upon the elected species: Claims 1-46.

Cancellation of Claims

Applicant cancels claims 47-90 with traverse. Applicants reserve the right to prosecute the non-elected claims in another application to be filed at a later date.

CONCLUSION

Applicant believes that the application is now in condition for examination.

Respectfully submitted,

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Date: _____

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